

REMARKS

In response to the outstanding Office Action, Paper No. 5, dated June 26, 2003, applicant has carefully studied the references cited by the Examiner and the Examiner's comments relative thereto.

Claims 1, 4, 7-8, 11-12, and 14 have been amended.

Claims 2-3 and 5-6 have been canceled.

New Claims 19-22 have been added.

Claims 1, 4, and 7-22 remain in the application for consideration by the Examiner.

The specification has been amended for clarity.

No new matter has been added.

Reconsideration of the application, as amended, is respectfully requested.

The Examiner objected to the drawings. The Examiner stated:

"The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 14, 16 and 22. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance."

The drawings have been amended to include the reference numerals courteously pointed out by the examiner. A substitute set of thirteen (13) sheets of formal drawings and a Letter to the Official Draftsman are filed herewith. A copy of the thirteen (13) sheets of formal drawings is attached hereto for consideration by the Examiner. No new matter is added by the drawings. It is submitted that the amended drawings overcome the Examiner's objection.

The Examiner further stated:

"The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the jaws with apertures as in claim 2 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance."

Claim 2 has been canceled. Therefore the Examiner's objection is moot.

The Examiner objected to the specification. The Examiner stated:

"The disclosure is objected to because of the following informalities:

Page 10, line 4 states 'Fig. 13' however, it should read --Fig. 12--.

Appropriate correction is required."

The correction courteously suggested by the Examiner has been made to the specification. No new matter was added. It is submitted that the specification, as amended, overcomes the Examiner's objection.

The Examiner rejected Claims 11, 12, and 14 under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner stated:

"Claims 11, 12 and 14 fail to teach what the limitations are to read on, the bucket or the wringer. In claim 11, is the bucket supposed to have a handle attached to a rear wall or is the wringer? In claim 12, does the front wall of the bucket or the wringer have a curved portion? In claim 14, does the wringer or the bucket have a stepped bottom wall?."

Claims 11, 12, and 14 have been amended to recite in part "The invention defined in Claim 1 wherein said bucket includes" in order to clearly indicate that the limitations apply to the bucket claimed. Claims 11, 12, and 14, as amended, are now deemed to particularly point out and distinctly claim the subject matter which the applicant regards as the invention for which patent protection is earnestly sought. The Examiner's favorable reconsideration of the rejection based upon 35 USC § 112, second paragraph, is respectfully requested.

The Examiner rejected Claims 1-8, 11, 14, and 16-17 under 35 USC § 102(b) as being anticipated by Elkington (U.S. Pat. No. 2,337,319). The Examiner stated that:

"Elkington teaches a mop bucket and wringer apparatus for wringing liquid from a mop (col. 1, lines 6-22). The wringer (12) has an upwardly opening for receiving a mop and is defined by front (13), rear (14) and side (16) walls (col. 3, lines 46-51). There are passageways that are on some of the walls to allow liquid to pass through. There is a rack (33) which pressure jaws (28) are mounted to. The rack keeps the pressure jaws in a spaced apart horizontal disposition whereby vertical movement of the rack causes the pressure jaws toward and away from each other. At least one of the side walls is provided [sic] with slots (21) for vertically guiding the rack. A pinion (36) is affixed to a side wall of the wringer for effecting movement of the rack and the associated pressure jaws. An elongate elastomeric spring means (48) is attached to the at least one of the side walls and the pinion urging the pinion in a position to cause the pressure jaws to be moved away from each other. The rear wall of the wringer has a handle (25) attached thereto to which movement of the handle starting the wringing process. The bottom wall of the wringer is of the stepped configuration (figure 2). When the wringer is placed on three sides of the bucket a seal is formed preventing any leaking of liquid."

Claim 1 recites in part "a rack mounting the pressure jaws in a spaced apart horizontal disposition whereby vertical movement of the rack causes relative movement of the pressure jaws toward and away from one another" and "a pinion affixed to a side wall of said wringer for effecting movement of the rack and the associated pressure jaws". A rack is defined in the Merriam-Webster Dictionary as "a bar with teeth on one face for gearing with a pinion or worm gear to transform rotary motion to linear motion or vice versa". No such structure is disclosed in Elkington. The "rack (33)" pointed out by the Examiner is a slider (see page 3,

column 1, line 54). No teeth exist on the slider. A pinion is defined in the Merriam-Webster Dictionary as “a gear with a small number of teeth designed to mesh with a larger wheel or rack”. No such structure is disclosed in Elkington. The “pinion 36” pointed out by the Examiner is a lever (see page 3, column 2, line 1) which is connected to the slider to cause the slider to move within a side plate (see page 3, column 1, lines 56-62). No teeth exist on the lever. Due to these structural differences, it is submitted that Claim 1 is patentable and not anticipated under 35 USC §102(b) by Elkington.

Additionally, Claim 1 has been amended to recite in part “an elastomeric member normally urging the pinion in a position to cause the pressure jaws to be moved away from one another”. The urging mechanism disclosed in Elkington is a metal spring. An elastomeric member is not disclosed. The elastomeric member can be easily, readily, and economically produced. Also, replacement of the elastomeric member if defective or broken is simple and easy. Additionally, the elastomeric member is resistant to rust, corrosion, and various chemicals which may be present in the mop water. Thus, use of an elastomeric member as claimed presents several advantages. Since Claim 1 recites structure quite different from that disclosed in Elkington, Claim 1 is deemed patentable and not anticipated under 35 USC §102(b) by Elkington.

Since Claim 1 is deemed patentable, Claims 4, 7-8, 11, 14, and 16-17 which depend, directly or indirectly therefrom, are deemed patentable and not anticipated under 35 USC §102(b) by Elkington.

The Examiner rejected Claims 1-8, 11, 12, and 16-17 under 35 USC § 102(b) as being anticipated by Kamada (U.S. Pat. No. 5,720,073). The Examiner stated that:

“Kamada teaches a mop bucket (80) and wringer apparatus (10) for wringing liquid from a mop. The wringer has an upwardly opening for receiving a mop and is defined by front, rear and side (50a, 50b) walls. There are passageways that are on some of the walls to allow liquid to pass through (figure 9). There is a rack (30) which pressure jaws (40) are mounted to. The rack keeps the pressure jaws in a spaced apart horizontal disposition whereby vertical movement of the rack causes the pressure jaws toward and away from each other. At least one of the side walls is provided [sic] with slots (56a, 56b) for vertically guiding the rack. A pinion (20) is affixed to a side wall of the wringer for effecting movement of the rack and the associated pressure jaws. An elongate elastomeric spring means (76) is attached to the at least one of the side walls and the pinion urging the pinion in a position to cause the pressure jaws to be moved away from each other. The rear wall of the wringer has a handle (14) attached thereto to which movement of the handle starting the wringing process. The front wall of the bucket has a curved portion allowing for easy pouring. When the wringer is placed on three sides of the bucket a seal is formed preventing any leaking of liquid.”

As discussed above, Claim 1 has been amended to recite in part “an elastomeric member normally urging the pinion in a position to cause the pressure jaws to be moved away from one another”. The urging mechanism disclosed in Kamada is a metal spring. An elastomeric member is not disclosed. The elastomeric member can be easily, readily, and economically produced. Also, replacement of the elastomeric member if defective or broken is simple and easy. Additionally, the elastomeric member is resistant to rust, corrosion, and various chemicals which may be present in the mop water. Thus, use of an elastomeric member as claimed presents several advantages. Since Claim 1 recites structure quite different from that disclosed in Kamada, Claim 1 is deemed patentable and not anticipated under 35 USC §102(b) by Kamada.

Since Claim 1 is deemed patentable, Claims 4, 7-8, 11, 12, and 16-17 which depend, directly or indirectly therefrom, are deemed patentable and not anticipated under 35 USC §102(b) by Kamada.

The Examiner rejected Claims 1-8, 11, 14, and 16-17 under 35 USC § 102(b) as being anticipated by Bard (U.S. Pat. No. 2,196,906). The Examiner stated that:

“Bard teaches a mop bucket and wringer apparatus for wringing liquid from a mop (col. 3, lines 12-17). The wringer has an upwardly opening for receiving a mop and is defined by front, rear and side walls (figure 1). There are passageways that are on some of the walls to allow liquid to pass through (figure 1). There is a rack (19) which pressure jaws (16) are mounted to. The rack keeps the pressure jaws in a spaced apart horizontal disposition whereby vertical movement of the rack causes the pressure jaws toward and away from each other. At least one of the side walls is provided [sic] with slots (14) for vertically guiding the rack. A pinion (24) is affixed to a side wall of the wringer for effecting movement of the rack and the associated pressure jaws. An elongate elastomeric spring means (26) is attached to the at least one of the side walls and the pinion urging the pinion in a position to cause the pressure jaws to be moved away from each other. The rear wall of the wringer has a handle (25) attached thereto to which movement of the handle starting the wringing process. The bottom wall of the wringer is of the stepped configuration (figure 1, element 11). When the wringer is placed on three sides of the bucket a seal is formed preventing any leaking of liquid.”

As previously discussed, Claim 1 has been amended to recite in part “an elastomeric member normally urging the pinion in a position to cause the pressure jaws to be moved away from one another”. The urging mechanism disclosed in Bard is a metal spring. An elastomeric member is not disclosed. The elastomeric member can be easily, readily, and economically produced. Also, replacement of the elastomeric member if defective or broken is simple and easy. Additionally, the elastomeric member is resistant to rust, corrosion, and various chemicals which may be present in the mop water. Thus, use of an elastomeric member as claimed presents several advantages. Since Claim 1 recites structure quite

different from that disclosed in Bard, Claim 1 is deemed patentable and not anticipated under 35 USC §102(b) by Bard.

Since Claim 1 is deemed patentable, Claims 4, 7-8, 11, 14, and 16-17 which depend, directly or indirectly therefrom, are deemed patentable and not anticipated under 35 USC §102(b) by Bard.

The Examiner's favorable reconsideration of the rejection based upon 35 USC §102(b) is respectfully requested.

The Examiner rejected Claims 1-17 under 35 USC §103(a) as being unpatentable over Taylor (U.S. Pat. No. 5,333,353) in view of Elkington. In part, the Examiner stated:

"Taylor teaches a mop wringer and bucket device, wherein the bucket is provided with slots (82) for guiding the vertical movement of the wringer with respect to the mop bucket. The wringer has downwardly extending extensions (80) that are to be received within the slots. The bucket also includes a handle (figure 12) and a curved portion (76) forming a pouring spout. The handle may be used to attach the device to a toilet or a sink basin. The bucket also includes a stepped bottom wall (66) and side walls with corners (figure 12). The wringer sits on three sides of the bucket thus forming a seal to prevent any liquid from leaking. Taylor teaches all the essential elements of the claimed invention however, Taylor fails to teach the specifics of the wringer."

As discussed above, Claim 1 is deemed patentable and not anticipated under 35 USC §102(b) by Elkington. The use of an elastomeric member is not taught or remotely suggested by either Taylor or Elkington. Accordingly, Claim 1 is deemed patentable and not obvious under 35 USC §103(a) over Taylor in view of Elkington.

Since Claim 1 is deemed patentable, Claims 4 and 7-17 which depend, directly or indirectly therefrom, are deemed patentable and not obvious under 35 USC §103(a) over Taylor in view of Elkington.

The Examiner rejected Claims 1-17 under 35 USC §103(a) as being unpatentable over Taylor (U.S. Pat. No. 5,333,353) in view of Kamada.

As discussed above, the use of an elastomeric member is not taught or remotely suggested by Taylor, nor is it taught or suggested by Kamada. Thus, Claim 1 is deemed patentable and not obvious under 35 USC §103(a) over Taylor in view of Kamada.

Since Claim 1 is deemed patentable, Claims 4 and 7-17 which depend, directly or indirectly therefrom, are deemed patentable and not obvious under 35 USC §103(a) over Taylor in view of Kamada.

The Examiner rejected Claims 1-17 under 35 USC §103(a) as being unpatentable over Taylor (U.S. Pat. No. 5,333,353) in view of Bard.

As discussed above, the use of an elastomeric member is not taught or remotely suggested by Taylor, nor is it taught or suggested by Bard. Thus, Claim 1 is deemed patentable and not obvious under 35 USC §103(a) over Taylor in view of Bard.

Since Claim 1 is deemed patentable, Claims 4 and 7-17 which depend, directly or indirectly therefrom, are deemed patentable and not obvious under 35 USC §103(a) over Taylor in view of Bard.

The Examiner's favorable reconsideration of the rejections based upon 35 USC §103(a) is respectfully requested.

Claims 4, 7, and 8 were amended for clarity.

Claim 18 has been amended to claim subject matter which applicants are entitled to claim.

New Claims 19-22 have been added to claim subject matter which applicants are entitled to claim.

It is submitted that the claims distinctly define the applicant's invention. Reconsideration of the application is respectfully requested. Accordingly, a formal Notice of Allowance is solicited.

The Examiner is hereby authorized to charge additional necessary fees to Deposit Account Number 13-0005.

While the applicant's attorney has made a sincere effort to properly define applicant's invention and to distinguish the same from the prior art, should the Examiner deem that other language would be more appropriate, it is requested that a telephone interview be had with the applicant's attorney in a sincere effort to expedite the prosecution of the application.